**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE SIDE**
**WRIT PETITION NO. 2369 OF 2007**

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Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

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Mr. Rahul S. Thakur for Petitioner.

Mr.K.K. Tated for R. No. 1.

Mr. P.I. Khemani, A.G.P. for R. Nos. 2 to 6.

Mr. D.D. Madon, Sr. Counsel wtih Mr. C.S. Balsara i/by A.S. Dayal Associates for R. No. 8.

Mr. A.A.Garge for R. No. 7.

**CORAM : F.I. REBELLO &**
**R.M. SAVANT,JJ.**
**DATED : JUNE 14, 2007**

**P.C.**

. Rule. Heard forthwith.

. The Petitioner by the present Petition claims as owner of Part of the land admeasuring 10 Ars of the property identified under Survey No. 311/3 Part of village Kopar Khairane, District Thane. It is the grievance of the Petitioner that though the land was not acquired, the Respondent No. 1 has handed over the possession of the land to Respondent No. 8. On behalf of the Respondent No. 2, an

affidavit has been filed by Mr. Bhagwat, the Chief Land and Survey Officer, CIDCO.

. We have heard the counsel for the parties. On the query to counsel for Respondent No. 1, the learned counsel fairly concedes that in so far as the declaration under Section 6 of the Land Acquisition Act, the land of 10 Ars of land identified under Survey No. 311/3 Part has not been acquired. The learned counsel further makes a statement on the basis of the instructions obtained from the officer who is present in the court that the Respondent No. 1 will take steps to commence the proceedings to acquire the said area of land of 10 Ars. We accept the statement made on behalf of the Respondent No. 1 through their learned counsel. We direct the Respondent No.1 to forward the proposal to Respondent No. 2 within two weeks from today and Respondent No. 2 to complete the entire process not latter than six months from Respondent No. 1 forwarding the proposal. Rule made absolute accordingly. No order as to costs.

**(R.M.SAVANT,J.)** **(F.I. REBELLO,J.)**